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**VIA ELECTRONIC FILING**

The Hon. Laura Taylor Swain  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Maccharulo v. Goord, et al., 08-cv-301(LTS)(THK)

Dear Judge Swain:

This office has represented Oscar Klein, M.D. in the above referenced action pursuant to a professional liability insurance policy purchased by Dr. Klein. I write seeking a withdrawal of the Answer interposed on behalf of Dr. Klein by this office.

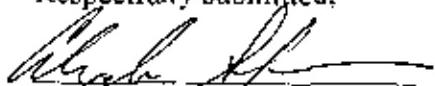
As the Court is aware, the New York State Office of the Attorney General ("OAG") has recently interposed a Notice of Appearance on behalf of all defendants, including Dr. Klein. The OAG has agreed to represent Dr. Klein in this action pursuant to Public Officer's Law § 17. As such, a Notice of Substitution of Counsel will be filed shortly.

As this Court is also aware, the Office of the Attorney General has been afforded an extension of time in which to interpose a single Answer on behalf of all parties it represents in this action. In accord, withdrawal of the Answer filed by Dr. Klein will provide the Office of the Attorney General with the ability to interpose a single Answer as intended.

In light of the above, I respectfully request, in the name of judicial economy, that the Answer filed on behalf of Oscar Klein, M.D. be withdrawn so that a single Answer may be interposed on behalf of Dr. Klein by the Office of the Attorney General in accordance with the extension of time previously granted.

This request is made with the consent of plaintiff's counsel.

Respectfully submitted,



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